



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

----- X
DK ACQUISITION PARTNERS, L.P., et al.,

Plaintiffs,

v.

J.P. MORGAN CHASE & CO., et al.,

Defendants.

: Civil Action No.
08 Civ. 0446 (LTS)(JCF)

----- X
AVENUE CAPITAL MANAGEMENT II, L.P., et al.,

Plaintiffs,

v.

J.P. MORGAN CHASE & CO., et al.,

Defendants.

: Civil Action No.
08 Civ. 0447 (LTS)(JCF)

**STIPULATION REGARDING
BRIEFING SCHEDULE**

----- X

IT IS HEREBY STIPULATED AND AGREED, by, between and among the undersigned attorneys for the parties, that the briefing schedule with respect to the Motion by Defendants JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., and J.P. Morgan Securities, Inc. for Summary Judgment with respect to Plaintiffs' Claims based on WestLB Debt (Docket No. 31 in the first above-captioned action) and the Motion by Defendants for Summary Judgment based on Plaintiffs' Lack of Standing To Assert Certain Claims Allegedly Acquired from Third Parties (Docket No. 39 in the first above-captioned action and Docket No. 20 in the second above-captioned action) shall be as follows:

1. Plaintiffs shall serve their responsive papers on or before September 9, 2008.

2. Defendants shall serve their reply papers on or before October 24, 2008.

Dated: New York, New York
July 28, 2008

BARTLIT BECK HERMAN
PALENCHAR & SCOTT

Philip S. Beck (Philip.Beck@Bartlit-Beck.com)
James B. Heaton III (JB.Heaton@Bartlit-Beck.com)
Cindy L. Sobel (Cindy.Sobel@Bartlit-Beck.com)
Courthouse Place
54 West Hubbard Street, 3rd Floor
Chicago, Illinois 60610
Tel: (312) 494-4400
Fax: (312) 494-4440

Joseph C. Smith, Jr. (Joseph.Smith@Bartlit-Beck.com)
1899 Wynkoop Street, 8th Floor
Denver, Colorado 80202
Tel: (303) 592-3100
Fax: (303) 592-3140

~~KLEINBERG, KAPLAN, WOLFF & COHEN, P.C.~~

David Parker (DParker@KKWC.com)
Marc Rosen (MRosen@KKWC.com)
551 Fifth Avenue, 18th Floor
New York, New York 10176
Tel: (212) 986-6000
Fax: (212) 986-8866

Attorneys for Plaintiffs
DK Acquisition Partners, L.P., *et al.*

BOIES, SCHILLER & FLEXNER LLP



David A. Barrett (dbarrett@bsflp.com)
Harlan A. Levy (hlevy@bsflp.com)
Magda M. Jimenez (mjimenez@bsflp.com)
575 Lexington Avenue
New York, New York 10022
Tel: (212) 446-2300
Fax: (212) 446-2350

Philip J. Iovieno (piovieno@bsflp.com)
10 North Pearl Street
Albany, New York 12207
Tel: (518) 434-0600
Fax: (518) 434-0665

Attorneys for Plaintiffs
Avenue Capital Management II, L.P., *et al.*

Thomas C. Rice (trice@stblaw.com)
David J. Woll (dwoll@stblaw.com)
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, NY 10017
Tel: (212) 455-2000
Fax: (212) 455-2502

Attorneys for Defendants JPMorgan Chase & Co.,
JPMorgan Chase Bank, N.A., and J.P. Morgan Securities
Inc.

BOIES, SCHILLER & FLEXNER LLP

David A. Barrett (dbarrett@bsflp.com)
Harlan A. Levy (hlevy@bsflp.com)
Magda M. Jimenez (mjimenez@bsflp.com)
575 Lexington Avenue
New York, New York 10022
Tel: (212) 446-2300
Fax: (212) 446-2350

Philip J. Iovieno (piovieno@bsflp.com)
10 North Pearl Street
Albany, New York 12207
Tel: (518) 434-0600
Fax: (518) 434-0665

Attorneys for Plaintiffs
Avenue Capital Management II, L.P., *et al.*



Thomas C. Rice (trice@stblaw.com)
David J. Woll (dwoll@stblaw.com)
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, NY 10017
Tel: (212) 455-2000
Fax: (212) 455-2502

Attorneys for Defendants JPMorgan Chase & Co.,
JPMorgan Chase Bank, N.A., and J.P. Morgan Securities
Inc.

Michael E. Gertzman / HSN

Brad S. Karp (bkarp@paulweiss.com)
Richard A. Rosen (rrosen@paulweiss.com)
Michael E. Gertzman (mgertzman@paulweiss.com)
Claudia L. Hammerman (chammerman@paulweiss.com)
Robyn F. Tarnofsky (rtarnofsky@paulweiss.com)
Julia Tarver Mason (jmason@paulweiss.com)
Jonathan H. Hurwitz (jhurwitz@paulweiss.com)
PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP
1285 Avenue of the Americas
New York, New York 10019-6064
Tel: (212) 373-3000
Fax: (212) 757-3990

Attorneys for Defendants Citigroup Inc., Citibank, N.A.,
and Citigroup Global Markets Inc. (f/k/a Salomon Smith
Barney Inc.)

SO ORDERED:

[Signature] 8/11/08
U.S.D.J.